

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

IRA B. HARRIS,

Plaintiff,

v.

ROBERT D. BLITZ, et al.,

Defendants.

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No. 4:23-cv-00195-RHH

**OPINION, MEMORANDUM AND ORDER**

This matter comes before the Court on a motion filed by plaintiff Ira B. Harris that has been construed as a motion for an extension of time in which to pay the filing fee. (Docket No. 12). In the motion, plaintiff states that his motion for leave to proceed in forma pauperis was in error, and that he has funds to pay the full filing fee. He further explains that his prison is not allowing him to withdraw his funds to pay the filing fee, and asks the Court to intercede. In the alternative, plaintiff asks for “30 days to make other measures to make full payment.”

The Court notes that plaintiff’s case was dismissed under 28 U.S.C. § 1915(e)(2)(B) on February 22, 2023. (Docket No. 9; Docket No. 10). At that time, the Court assessed an initial partial filing fee, and gave plaintiff twenty-one days in which to pay it. The Court also advised plaintiff that he was responsible for the entirety of the filing fee.

While plaintiff asserts that his filing of a motion for leave to proceed in forma pauperis was a mistake, he does not ask the Court to reverse the granting of the motion. Even if he did, the Court notes that the complaint would still be subject to initial review under 28 U.S.C. § 1915A, and still subject to dismissal on the grounds already enumerated. However, to the extent that plaintiff seeks


an extension of time to pay his filing fee, the Court finds that his motion should be granted, and plaintiff given an additional thirty days from the date of this order to make payment.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's motion for an extension of time to make payment (Docket No. 12) is **GRANTED**.

**IT IS FURTHER ORDERED** that plaintiff shall have thirty (30) days from the date of this order in which to pay the previously-assessed initial partial filing fee or to make full payment.

Dated this 8<sup>th</sup> day of March, 2023.

  
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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE